

# Capitola City Council

## Agenda Report



**Meeting:** December 11, 2025

**From:** Public Works Department

**Subject:** Mandatory Organic Waste Disposal Reduction Ordinance

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**Recommended Action:** Adopt an ordinance amending Chapter 8.04 "Solid Waste Management" of the Capitola Municipal Code, establishing a Mandatory Organic Waste Disposal Reduction Ordinance consistent with Senate Bill 1383 regulations

**Background:** In alignment with California's statewide effort to reduce methane emissions from landfilled organic waste, Senate Bill (SB) 1383 requires all jurisdictions implement mandatory organic waste reduction, edible food recovery, and recovered organic product procurement programs.

SB 1383 is a California law adopted in 2016 as part of the state's broader effort to combat climate change and reduce greenhouse gas emissions. The law aims to reduce short-lived climate pollutants, such as methane, by requiring diversion of organic waste from landfills and the recovery of edible food from commercial generators.

The primary goal of SB 1383 was to reduce organic waste disposal in landfills by 75% by the year 2025, using 2014 levels as the baseline. In addition, the law requires at least 20% of surplus edible food be recovered in 2025, such as through the assistance of Food Recovery Organizations like Second Harvest Food Bank.

To achieve these objectives, SB 1383 establishes statewide regulations to be followed and implemented by residents, businesses, and local governments. The City currently complies with SB 1383 requirements through a variety of enforceable programs, such as the City's Solid Waste and Edible Food Recovery programs (Capitola Municipal Code Chapter 8.04).

The California Department of Resources, Recycling and Recovery (CalRecycle) is the state-level regulatory agency responsible for overseeing and enforcing compliance with SB 1383. In November 2020, CalRecycle adopted regulations pursuant to SB 1383 to divert organic waste from landfills. One of the regulations included that beginning on January 1, 2022, cities and counties are required to procure recovered organic waste products to meet an annual procurement target.

Eligible types of recovered organic waste products counting towards each jurisdiction's annual procurement target may include compost, mulch, renewable energy, and electricity from biomass conversion. The City procures mulch for landscaping and maintenance projects at public facilities, parks, and open spaces to meet its annual procurement target.

To incorporate procurement requirements required by SB 1383 regulations and to assist in citywide implementation, the City adopted a Recovered Organic Waste Product Procurement Policy on November 4, 2025. The policy was included as an amendment to the City's Environmental Policy Statement and Procurement Guidelines (Attachment 1), originally adopted on October 2, 2024. Following the adoption of the policy, staff prepared a draft ordinance using CalRecycle's Model Mandatory Organic Waste Disposal Reduction Ordinance, for consideration by City Council as a mandatory tool for enforcing the procurement policies citywide (Attachment 2). On November 13th, the City Council unanimously voted to introduce the Ordinance.

**Discussion:** The City routinely procures mulch for use at City facilities, public parks, and open spaces to comply with SB 1383 Regulations and to meet annual procurement targets enforced by CalRecycle. CalRecycle requires an ordinance, or other enforceable mechanism, must be adopted if a jurisdiction plans to procure mulch to comply with its procurement obligations under SB 1383. The ordinance must require the mulch procured by the jurisdiction comply with specific land application standards. This is

important to prevent the application of contaminated material and to ensure that the mulch procured meets public health and safety standards.

The City already uses recovered mulch at parks and public facilities to meet its annual SB 1383 procurement targets. Adoption of this ordinance will formalize existing practice in Municipal Code and ensure continued compliance with CalRecycle's procurement and land application standards. Following adoption, staff will file the ordinance with CalRecycle to document the City's compliance.

Fiscal Impact: None. The City already procures compliant mulch using existing maintenance budgets; adoption of the ordinance will not result in additional costs.

Attachments:

1. Ordinance

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Reviewed By: Marc Tran, City Attorney

Approved By: Jamie Goldstein, City Manager